

**ASSEMBLY BILL**

**No. 857**

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**Introduced by Assembly Member Bass**

February 18, 2005

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An act to amend Section 9250.19 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 857, as introduced, Bass. Vehicles: registration fees: crime prevention programs.

Existing law authorizes, until January 1, 2006, a county to impose a \$1 fee on certain vehicles, upon adoption of a resolution by the county board of supervisors, as specified, in addition to other specified vehicle registration fees. Existing law also imposes in addition to that fee, a \$2 service fee on all commercial vehicles, as specified, upon implementation of the permanent trailer identification plate program, as specified. Existing law continuously appropriates the money generated by these fees to the Controller for disbursement to each county that has adopted a resolution as described above, and limits the expenditure of the money so disbursed to certain purposes related to law enforcement.

This bill would delete the repeal date specified in existing law.

The bill would make an appropriation by extending indefinitely the specified provisions that authorize disbursements from continuously appropriated moneys.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 9250.19 of the Vehicle Code is amended to read:

9250.19. (a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution pursuant to this subdivision by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration, renewal, or supplemental application for apportioned registration pursuant to Article 4 (commencing with Section 8050) of Chapter 4 of every vehicle, except vehicles described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(3) A resolution adopted pursuant to paragraph (1) shall include findings as to the purpose of, and the need for, imposing the additional registration fee, and shall identify the date after which the fee shall no longer be imposed.

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller pursuant to subdivision (a) is continuously appropriated, without regard to fiscal years, for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county, or supplemental application for apportioned registration, and, upon appropriation by the Legislature, for the administrative costs of the Controller incurred under this section.

(c) Money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local law enforcement to provide automated mobile

1 and fixed location fingerprint identification of individuals who  
2 may be involved in driving under the influence of alcohol or  
3 drugs in violation of Section 23152 or 23153, or vehicular  
4 manslaughter in violation of Section 191.5 of the Penal Code or  
5 subdivision (c) of Section 192 of the Penal Code, or any  
6 combination of those and other vehicle-related crimes, and other  
7 crimes committed while operating a motor vehicle.

8 (d) The data from any program funded pursuant to subdivision  
9 (c) shall be made available by the local law enforcement agency  
10 to any local public agency that is required by law to obtain a  
11 criminal history background of persons as a condition of  
12 employment with that local public agency. A local law  
13 enforcement agency that provides the data may charge a fee to  
14 cover its actual costs in providing that data.

15 (e) (1) No money collected pursuant to this section shall be  
16 used to offset a reduction in any other source of funds for the  
17 purposes authorized under this section.

18 (2) Funds collected pursuant to this section, upon  
19 recommendation of local or regional Remote Access Network  
20 Boards to the Board of Supervisors, shall be used exclusively for  
21 the purchase, by competitive bidding procedures, and the  
22 operation of equipment which is compatible with the Department  
23 of Justice's Cal-ID master plan, as described in Section 11112.2  
24 of the Penal Code, and the equipment shall interface in a manner  
25 that is in compliance with the requirement described in the  
26 Criminal Justice Information Services, Electronic Fingerprint  
27 Transmission Specification, prepared by the Federal Bureau of  
28 Investigation and dated August 24, 1995.

29 (f) Every county that has authorized the collection of the fee  
30 pursuant to subdivision (a) shall issue a fiscal yearend report to  
31 the Controller on or before November 1 of each year,  
32 summarizing all of the following with respect to those fees:

33 (1) The total revenues received by the county for the fiscal  
34 year.

35 (2) The total expenditures and encumbered funds by the  
36 county for the fiscal year. For purposes of this subdivision,  
37 "encumbered funds" means funding that is scheduled to be spent  
38 pursuant to a determined schedule and for an identified purchase  
39 consistent with this section.

1 (3) Any unexpended or unencumbered fee revenues for the  
2 county for the fiscal year.

3 (4) The estimated annual cost of the purchase, operation, and  
4 maintenance of automated mobile and fixed location fingerprint  
5 equipment, related infrastructure, law enforcement enhancement  
6 programs, and personnel created or utilized in accordance with  
7 this section for the fiscal year. The listing shall detail the make  
8 and model number of the equipment, and include a succinct  
9 description of the related infrastructure items, law enforcement  
10 enhancement programs, and the classification or title of any  
11 personnel.

12 (5) How the use of the funds benefits the motoring public.

13 (g) For each county that fails to submit the report required  
14 pursuant to subdivision (f) by November 1 of each year, the  
15 Controller shall notify the Department of Motor Vehicles to  
16 suspend the fee for that county imposed pursuant to subdivision  
17 (a) for one year.

18 (h) If any funds received by a county pursuant to subdivision  
19 (a) are not expended or encumbered in accordance with this  
20 section by the close of the fiscal year in which the funds were  
21 received, the Controller shall notify the Department of Motor  
22 Vehicles to suspend the fee for that county imposed pursuant to  
23 subdivision (a) for one year. For purposes of this subdivision,  
24 “encumbered funds” means funding that is scheduled to be spent  
25 pursuant to a determined schedule and for an identified purchase  
26 consistent with this section.

27 (i) On or before January 1, 2004, and on January 1 annually  
28 thereafter, the Controller shall prepare and submit to the  
29 Legislature a revenue and expenditure summary based on the  
30 information provided pursuant to paragraphs (1) to (3), inclusive,  
31 of subdivision (f), for each county that has authorized the  
32 collection of the fee pursuant to subdivision (a). The Controller  
33 shall attach to the revenue and expenditure summary the  
34 documents provided by each county pursuant to paragraphs (4)  
35 and (5) of subdivision (f).

36 ~~(j) This section shall remain in effect only until January 1,~~  
37 ~~2006, and as of that date is repealed, unless a later enacted~~  
38 ~~statute, that is enacted before January 1, 2006, deletes or extends~~  
39 ~~that date. No fee imposed pursuant to this section may be~~  
40 ~~collected beyond that date.~~

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